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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,006	12/08/2003	Fumitaka Toyomura	03500.0177/67,	9107
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FITZPATRICK CELLA HARPER & SCINTO			EXAMINER	
30 ROCKEFELLER PLAZA			BERDICHIEVSKY, MIRIAM	
NEW YORK, NY 10112			ART UNIT	PAPER NUMBER
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		11/14/2008	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/729,006	<b>Applicant(s)</b> TOYOMURA, FUMITAKA
	<b>Examiner</b> MIRIAM BERDICHEVSKY	<b>Art Unit</b> 1795

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on **RCE 8/12/2008**.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-16 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date 8/12/2008
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

### **DETAILED ACTION**

#### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/12/2008 has been entered.

#### ***Remarks***

Claims 1-16 are currently pending.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 3-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Toyomura (US 20020179140).

As to claim 1, Toyomura teaches a solar cell module comprising at least one power conversion unit (110) having a plurality of solar cell elements (106) and a power converter which is a DC-DC converter or an inverter provided in a position corresponding to a region surrounded by all the solar cell elements (107) (Figure 1 ([0062])).

Regarding claim 3, Toyomura teaches that the outputs of the solar cell elements are inputted to the power converter corresponding to the solar cell elements and the power converter converts the inputted outputs of the solar cell elements and outputs the converted outputs ([0065]).

Regarding claim 4, Toyomura teaches that all output terminals of the solar cell elements are electrically connected to all input terminals of the power converters (a power converter, 107) corresponding to the output terminals respectively ([0065]).

4. Regarding claim 5, Toyomura teaches that a plurality of input terminals of the power converters are provided on the same and one surface (As claim 1 only requires one power conversion unit with a converter, the sole converter will inherently have its input terminals on the same and one surface).Claim 10 is rejected under 35 U.S.C. 102(b) as being anticipated by Kobayashi (US 20020050290).

As to claim 10, Kobayashi teaches a solar cell module comprising at least one power conversion unit (152) having two adjacent solar cell elements (solar cells on either side of 152) and a power converter which is a DC-DC converter or an inverter provided in a position corresponding to a region on the extension of a gap between the two adjacent solar cell elements (112) (Figure 8).

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Toyomura in view of Kondo (20020038667).

Applicant is directed to the above paragraphs for a complete discussion of Toyomura.

Regarding claim 2, Toyomura teaches at least two power conversion units (Figure 8) but is silent to each power converter is electrically connected to a power converter of an adjacent power conversion unit.

Kondo teaches the electrical connection of several solar battery units (solar power converters) to each converter/inverter connected to a converter/inverter of an adjacent conversion unit (Kondo: Figure 1).

It would have been obvious to one of ordinary skill in the art at the time to electrically connect the converter solar conversion units to an adjacent converter of a conversion unit in order to increase the number of parallel connected modules by sequentially repeating cascade connection and to prevent current over flow, as taught by Kondo ([0003] and [0005]).

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Toyomura and Kondo, and further in view of Takehara et al. (6,331,670).

In regard to claim 6, modified Toyomura teaches a variety of materials from which the solar elements can be made ([0055]-[0058]) but is silent to the photovoltaic layer of each of the solar cell element specifically being a pn-junctions or a pin-junctions of two or more layers.

Takehara et al. discloses a photovoltaic/solar cell array (Figure 3) of each of the solar cell elements has p-n junctions (303 a, b, c) or pin junctions of two or more layers (col. 9; lines: 13-23). It is obvious to those skilled in the art to utilize a p-n junction for solar cell elements since their ability to allow current to flow easily in only one direction as evidence given by Jackson et al., **Handbook of Semiconductors Technology**, Vol. 2., Wiley, Copyright 2000, p.348.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the p-n junction as disclosed by Takehara et al. to the power converter in the solar cell module of modified Toyomura in order to get current to flow.

9. Claim 7-9 and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toyomura.

As to claim 7, Toyomura teaches a solar cell module comprising at least one power conversion unit having a plurality of solar cell elements arranged on a plane and a power converter which is a DC-DC converter or an inverter (Figure 1),

Toyomura is silent to the power converter being arranged in a position of minimizing a sum of all collecting losses when collecting a power generated by the solar cell elements to the power converter.

It would have been obvious to one of ordinary skill in the art at the time of the invention to arrange the power converter in a position of minimizing a sum of all collecting losses in order to tailor the output for a particular function because it would be obvious to try arranging the power converter in such a position with a reasonable expectation of success especially since it has been held that rearranging parts of an invention involves only routine skill in the art and is merely a design choice (MPEP 2141 III).

As to claims 8-9, Toyomura teaches a solar cell module comprising at least one power conversion unit (110) having a plurality of solar cell elements arranged (106) on a plane and a power converter which is a DC-DC converter or an inverter (107) (Figure 1). The Examiner notes that the connections between the solar elements in Figure 1 depict the connections between solar element terminals such that the solar elements can achieve their intended function (electricity flow).

Toyomura is silent to the power converter is arranged in the closest position between the terminal members in a state of arranging the solar cell elements (claim 8) or is arranged in a position of minimizing a sum of all collecting losses when collecting the power generated by the solar cell elements (claim 9).

It would have been obvious to one of ordinary skill in the art at the time of the invention to arrange the power converter in the closest position between the terminal

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members or to arrange the power converter in a position of minimizing a sum of all collecting losses when collecting the power generated by the solar cell elements, in order to tailor the output for a particular function and to minimize the wire/connection lengths/materials Moreover, it would be obvious to try arranging the power converter in such a position with a reasonable expectation of success especially since it has been held that rearranging parts of an invention involves only routine skill in the art and is merely a design choice.(MPEP 2141 III)

As to claim 13, Toyomura teaches a solar cell module comprising at least one power generation unit (110) having a plurality of solar cell elements (106) and a terminal box ([0158] and [0165]).

Toyomura is silent to the terminal box being in a position corresponding to a region surrounded by all the solar cell elements to collect outputs of the solar cell elements.

It would have been obvious to one of ordinary skill in the art at the time of the invention to position the terminal box in a region surrounded by all the solar cell elements in order to minimize the wire/connection lengths/materials. Moreover it would be obvious to try arranging the power converter in such a position with a reasonable expectation of success especially since it has been held that rearranging parts of an invention involves only routine skill in the art and is merely a design choice.(MPEP 2141 III)

Regarding claim 14, Toyomura teaches that at least two of the power generation units are included and each power generation unit is electrically connected to a terminal box of an adjacent power generation unit (Figure 8) ([0165]).

Regarding claim 15, Toyomura is silent to a terminal box provided in a position corresponding to a region or extension of a gap between the two adjacent solar cell elements to collect outputs of the two adjacent solar cell elements.

It would have been obvious to one of ordinary skill in the art at the time of the invention to position the terminal box in a gap between the two adjacent solar cell elements to collect outputs of the two adjacent solar cell elements in order to minimize the wire/connection lengths/materials. Moreover it would be obvious to try arranging the power converter in such a position with a reasonable expectation of success especially since it has been held that rearranging parts of an invention involves only routine skill in the art and is merely a design choice.(MPEP 2141 III)

Regarding claim 16, modified Toyomura as applied to claim 15 above teaches at least two of the power generation units are included and each power generation unit is electrically connected to a terminal box of an adjacent power generation unit ([0165]).

10. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi as applied to claim 10 above, and further in view of Kondo.

Applicant is directed to the above paragraphs for a complete discussion of Kobayashi.

Regarding claim 11, Kobayashi teaches at least two power conversion units (Figure 8) but is silent to each power converter is electrically connected to a power converter of an adjacent power conversion unit.

Kondo teaches the electrical connection of several solar battery units (solar power converters) to each converter/inverter connected to a converter/inverter of an adjacent conversion unit.

It would have been obvious to one of ordinary skill in the art at the time to electrically connect the converter solar conversion units to an adjacent converter of a conversion unit in order to increase the number of parallel connected modules by sequentially repeating cascade connection and to prevent current over flow, as taught by Kondo ([0003] and [0005]).

Regarding claim 12, Kobayashi teaches that the solar cell elements are inputted to the power converters and the power converters convert the inputted outputs of the solar cell elements and output the converted outputs to function the solar cells are inputted to the inverter and the outputs are outputted but is silent to each solar cell element having a corresponding inverter such that corresponding solar cell elements are inputted to their power converters.

Kondo teaches the electrical connection of several solar battery units (solar power converters) to each converter/inverter connected to a converter/inverter of an adjacent conversion unit (Kondo: Figure 1).

It would have been obvious to one of ordinary skill in the art at the time to electrically connect the converter solar conversion units to an adjacent converter of a

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conversion unit in order to increase the number of parallel connected modules by sequentially repeating cascade connection and to prevent current over flow, as taught by Kondo ([0003] and [0005]).

***Response to Arguments***

11. Applicant's arguments with respect to claims 1-16 have been considered but are not fully convincing. However, in order to advance prosecution the rejections from the previous office action are withdrawn but are moot in view of the new ground(s) of rejection based upon more pertinent prior art.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **MIRIAM BERDICHEVSKY** whose telephone number is (571)270-5256. The examiner can normally be reached on M-Th, 10am-8pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexa Neckel can be reached on (571) 272-1446. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. B./  
Examiner, Art Unit 1795

/Alexa D. Neckel/  
Supervisory Patent Examiner, Art Unit 1795